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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Committee

Chairman: Mr. R. M. Marty M. **Natalegawa** (Indonesia)

1. At its 11th meeting, on 23 June 2009, the Special Committee considered pending matters related to its work and took decisions on the agenda items listed below.

Question of holding a series of meetings away from Headquarters

2. The General Assembly, by paragraph 6 of its resolution 1654 (XVI), authorized the Special Committee to meet elsewhere than at United Nations Headquarters whenever and wherever such meetings might be required for the effective discharge of its functions. By paragraph 3 (9) of the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 2621 (XXV), the Assembly directed the Committee to continue to hold meetings away from Headquarters, as appropriate.

3. In that connection, the Special Committee decided to consider accepting such invitations as might be received in 2010 and, when particulars of such meetings become known, it would request the Secretary-General to seek the necessary budgetary provisions in accordance with established procedure.

Representation at seminars, meetings and conferences of intergovernmental and other organizations

4. The Special Committee decided to recommend to the General Assembly that the Committee continue to be represented at seminars, meetings and conferences organized by United Nations bodies and other intergovernmental and non-governmental organizations active in the field of decolonization. In keeping with its decision of 26 February 2009, the Committee would authorize its Chairman

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to hold consultations, as appropriate, concerning its participation in those meetings, as well as the level of representation, when accepting invitations. In accordance with established practice and on the basis of the principle of rotation, the Chairman would hold consultations with the Bureau members, who, in turn, would consult with the members of the Committee from their respective regional groups. The Chairman would also hold consultations with a member of the Committee whose regional group is not represented in the Bureau. The Special Committee decided to recommend that the General Assembly make appropriate budgetary provisions to cover such activities in 2010.

Pattern of conferences

5. The Special Committee noted that, during the year, it had closely followed the guidelines set forth in the resolutions of the General Assembly on the pattern of conferences, in particular resolution 63/248. By organizing its programme of work effectively and holding extensive consultations, the Committee had been able to keep to a minimum the number of its formal meetings. The Special Committee decided to continue to make optimum and effective use of conference-servicing resources.

6. The Special Committee also decided, taking into account the probable workload of the Committee for 2010, to consider holding its meetings in accordance with the following schedule:

(a) *Plenary*

February/March	As required
June/July	Up to 30 meetings (6 to 8 meetings a week)

(b) *Bureau*

February/July	20 meetings

7. It would be understood that that programme would not preclude the holding of any ad hoc meetings that might be warranted and that the Special Committee might, in early 2010, review the scheduled meetings on the basis of any new developments. The Committee would, subject to any directives given by the General Assembly, strive to keep its meetings to a minimum, while fulfilling its mandate.

Control and limitation of documentation

8. The Special Committee noted that, during the year, it had taken further measures to control and limit its documentation in compliance with the relevant resolutions of the General Assembly, in particular resolutions 34/50, 39/68, 51/211 B and 63/248. The Special Committee, consistent with the goal of limiting documentation, decided to continue to streamline its report to the Assembly.

9. At its 7th meeting, on 16 June 2004, the Special Committee decided to further limit its documentation and no longer issue as separate documents the resolutions adopted by the Committee during its substantive session, thus achieving further savings in costs related to the publication of its official documents.

10. By its resolution 50/206 B, the General Assembly approved the recommendation of the Special Committee to replace its verbatim records by summary records. Having reviewed the need for such records, the Special Committee decided to maintain its summary records.

Question of the list of Territories to which the Declaration is applicable

11. The Special Committee decided to continue consideration of the question at its next session, subject to any directives that the General Assembly might give at its sixty-fourth session.

Second International Decade for the Eradication of Colonialism

12. Noting that the Plan of Action for the Second International Decade for the Eradication of Colonialism, referred to in General Assembly resolution 55/146 and contained in the annex to the report of the Secretary-General (A/56/61), provided for the holding of seminars alternately in the Caribbean and the Pacific regions, as well as at United Nations Headquarters, and subject to any directives that the Assembly might give at its sixty-fourth session in this regard, the Special Committee decided to organize in 2010 a seminar in the Pacific region, to be attended by representatives of all Non-Self-Governing Territories.

13. The Special Committee also decided to invite United Nations organs, agencies and institutions to apprise the Secretary-General of the actions they have taken in implementation of General Assembly resolution 55/146 and to submit a report to the Assembly at its sixty-fifth session, subject to any directives that the Assembly might give at its sixty-fourth session with regard to the Second International Decade for the Eradication of Colonialism.

Participation of representatives of Non-Self-Governing Territories in the work of the Special Committee

14. The Special Committee decided to recommend that the participation of representatives of Non-Self-Governing Territories in the work of the Committee at Headquarters, as recommended by the Plan of Action for the Second International Decade for the Eradication of Colonialism, should continue to be facilitated through the reimbursement by the United Nations of the expenses relating to their participation under the terms of the guidelines amended by the Committee and approved by the General Assembly at its forty-eighth session. In that regard, the Special Committee decided to consider the guidelines at its plenary meetings with a view to amending them further, where appropriate.

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Fiji and Papua New Guinea: draft resolution

Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 63/107 of 5 December 2008,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Also noting with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Recalling the inauguration in 1996 of a national legislative body, the General Fono, based on village elections by universal adult suffrage and the assumption by that body in June 2003 of full responsibility for the Tokelau budget,

Noting that, as a small island Territory, Tokelau exemplifies the situation of several remaining Non-Self-Governing Territories and that, as a case study pointing

[1] To be issued as *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 23* (A/64/23), chap. X.

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to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out in writing the rights and obligations of both partners,

Bearing in mind the decision of the General Fono in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association, its decision in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand, and its subsequent decision to hold a further referendum in October 2007,

1. *Notes* that Tokelau and New Zealand remain firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that meet their current and ongoing requirements;

2. *Notes also* the ongoing recognition by New Zealand of the right of the people of Tokelau to self-determination when this is considered by the people of Tokelau to be appropriate;

3. *Welcomes* the progress made towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

4. *Recalls* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the Special Committee on the Constitution of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions subsequently held between Tokelau and New Zealand pursuant to the decision of the General Fono;

5. *Recalls also* the decision of the General Fono in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a draft treaty of free association with New Zealand, and notes the enactment by the General Fono of rules for the referendum;

6. *Notes* that two referendums to determine the status of Tokelau, held in February 2006 and October 2007, did not produce the two-thirds majority of the valid votes cast required by the General Fono to change Tokelau's status from that of a Non-Self-Governing Territory under the administration of New Zealand;

7. *Commends* the professional and transparent conduct of both the February 2006 and October 2007 referendums, monitored by the United Nations;

8. *Acknowledges* the decision of the General Fono that consideration of any future act of self-determination by Tokelau will be deferred and that New Zealand and Tokelau will devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau are enhanced and strengthened, thereby ensuring an enhanced quality of life for the people of Tokelau;

9. *Also Acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2007-2010;

10. *Further acknowledges* the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, as well as the support and cooperation of the United Nations Development Programme;

11. *Acknowledges* Tokelau's need for continued support from the international community;

12. *Recalls with satisfaction* the establishment and operation of the Tokelau International Trust Fund to support the ongoing needs of Tokelau, and calls upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to Tokelau in overcoming the problems of smallness, isolation and lack of resources;

13. *Welcomes* the assurance of the Government of New Zealand that it will meet its obligations with respect to Tokelau;

14. *Also welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, and their support for its economic and political aspirations and its increasing participation in regional and international affairs;

15. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops;

16. *Welcomes* the actions taken by the administering Power to transmit information regarding the political, economic and social situation of Tokelau to the Secretary-General;

17. *Also Welcomes* the commitment of both Tokelau and New Zealand to continue to work together in the interests of Tokelau and its people;

18. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixty-fifth session.